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Martha S. Sloan

(signature)

Date of signature - March 28, 2006

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David H. Palmer) Group Art Unit: 3611
Serial No. 10/666,173)) Examiner: Kevin Hurley
Filed: September 19, 2003)
Title of Invention: ELONGATE RECEIVER TUBE AND METHOD OF MAKING THE SAME)) Attorney Docket 1-37091)

March 28, 2006

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REPLY BRIEF

This is in response to the Examiner's Answer mailed 3 March 2006:

Application / Control Number: 10/666,173 Art Unit: 3611 Attorney Docket 1-37091

I. **Status of Claims**

The status of the claims is as follows:

Claims 1, 2, 4, 6, and 7 stand rejected, are pending in the application, and are being appealed.

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Grounds of Rejection to be Reviewed on Appeal II.

The grounds of rejection are cited in the Examiner's Answer.

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III. Arguments

In response to Examiner's rejection of Claims 1, 2, 4, 6, and 7 under the provisions of 35 U.S.C. 102(a), it must be understood that the appellant's claims are directed to a "Receiver Tube". Figs. 3c and 4c do not show a "Receiver Tube". The drawings relied upon by the Examiner as anticipating the appellant's claimed invention show an intermediate condition of the material being formed (transitional). The final Receiver Tube of Roe is illustrated in Fig. 4d which clearly does not have a "rounded" or other claimed configuration.

The difference is significant in respect of the operational and functional strength of the finished product.

Respectfully submitted,

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